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Attorneys for Plaintiff Louisiana Pacific Corporation

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

LOUISIANA PACIFIC CORPORATION,

Plaintiff,

vs.

MONEY MARKET 1 INSTITUTIONAL
INVESTMENT DEALER, MERRILL LYNCH
& CO., INC., MERRILL LYNCH, PIERCE,
FENNER & SMITH INCORPORATED, AND
DEUTSCHE BANK SECURITIES INC.,

Defendants,

Case No. C 09 03529 JSW

**STIPULATION AND ~~PROPOSED~~
ORDER RESCHEDULING PRETRIAL
MATTERS**

Trm: 11
Judge: Hon. Jeffrey S. White

DEMAND FOR JURY TRIAL

WHEREAS, on May 20, 2011, Plaintiff filed in this Court its Second Amended Complaint in the above-captioned action;

WHEREAS, on January 30, 2012, this Court issued an Order Scheduling Trial and Pretrial Matters ("Scheduling Order");

WHEREAS, counsel for both Plaintiff and Deutsche Bank Securities Inc. ("DBSI") have been fully engaged in taking or defending multiple depositions throughout the United States in another case pending in the Northern District of California and involving DBSI (as well as two other defendants), *The Anschutz Corporation v. Merrill Lynch & Co., et al.*, No. CV-09-3780-SI ("*Anschutz*"), and where non-expert discovery is scheduled to close on July 9, 2012, only 4 days before the current close of non-expert discovery in this matter;

WHEREAS, the non-expert discovery dates in *Anschutz* and this matter close only 4 days apart despite the fact that trial in *Anschutz* is scheduled to commence on January 28, 2013, whereas trial in this matter is scheduled to commence on June 3, 2013, more than four (4) months later than *Anschutz*;

WHEREAS, despite Plaintiff's and DBSI's diligent efforts, the parties will not be able to find mutually agreeable deposition dates for all necessary deponents before the close of non-expert discovery set by the Scheduling Order;

WHEREAS, none of the proposed dates below will change the current trial date ordered by the Court; and

WHEREAS, Plaintiff has conferred with DBSI and both parties have agreed to reschedule pretrial matters.

IT IS THEREFORE STIPULATED AND AGREED, by and between Plaintiff and DBSI, acting through their respective counsel, subject to this Court's approval pursuant to Paragraph D of the Scheduling Order, that the schedule set by the Scheduling Order is amended as follows:

	Date in Scheduling Order	Amended Date
Jury Trial Date (12 days)	6/3/2013, at 8:00 a.m.	6/3/2013, at 8:00 a.m.
Pretrial Conference	Monday, 5/13/2013, at 2:00 p.m.	Monday, 5/13/2013, at 2:00 p.m.
Last Day to Hear Dispositive Motions	Friday, 1/11/2013, 9:00 a.m.	Friday, 3/8/2013, 9:00 a.m.
Last Day for Expert Discovery	10/1/2012	12/3/2012

STIPULATION AND ~~PROPOSED~~ ORDER RESCHEDULING PRETRIAL MATTERS; Case No.: C 09 03529 JSW

1	Close of Non-expert Discovery	7/13/2012	9/14/2012
2	Further Case Management Conference	9/28/2012, 1:30 p.m.	12/7/2012, 1:30 p.m.
3	Joint Supplemental Case Management Statement due	9/21/2012	11/30/2012

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5 Dated: June 13, 2012

Respectfully submitted,

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7 By: /s/ Andrew C. Shen

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Attorneys for Plaintiff Louisiana Pacific Corporation

16 Dated: June 13, 2012


17 By: /s/ Elizabeth A. Frohlich

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Attorneys for Defendant
Deutsche Bank Securities Inc.

23 PURSUANT TO STIPULATION, AND FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

24 Dated: June 13, 2012

25
26 
27 Hon. Jeffrey S. White
28 United States District Judge